

## **Source Water Priorities**

### **Clean Water Act (CWA)/Safe Drinking Water Act (SDWA) Integration**

Overview: The goal of CWA/SDWA integration is to incorporate SWP into CWA programs to provide a more holistic, efficient, and economical means to manage water resources; leverage additional funding sources; and allow for increased engagement with stakeholders with a vested interest in water quality improvements. To achieve this goal we are engaging CWA/SDWA program staff and managers more routinely and more intentionally coordinate activities to ultimately make this the “way we do business”.

### **Quarterly States Meetings**

Overview: Quarterly meeting with state source water protection contacts. The two main topics are: 1) state Source Water Protection (SWP) program overview and 2) discussion on potential utilization of additional State Revolving Fund (SRF) funding through the Bipartisan Infrastructure Law (BIL) for SWP activities. The goal is to share information on respective state source water protection program since there has been a lot of transition at state/EPA levels and exchange ideas on creative ways to utilize both Drinking Water and Clean Water SRFs.

### **NRCS NWQI Cacapon & Lost River, WV**

Overview: National Water Quality Initiative (NWQI) is a partnership among NRCS, state water quality agencies and the U.S. Environmental Protection Agency to identify and address impaired water bodies through voluntary conservation. EPA helped prepare a proposal that was submitted to WV NRCS last summer to be considered for the readiness phase. The readiness phase is essentially a planning phase where the partners work together to develop a watershed assessment identifying water quality concerns, priority areas to focus in, priority conservation practices, an outreach strategy, and other pertinent information for the implementation phase. Summer-Fall 2022 NRCS will work with partners to complete FY23 watershed assessment that will inform FY24 funding for implementation practices.

## **UIC Priorities**

### **UIC One Database**

Overview: Regions 3, 4, 5, and 8 are working on a multi-regional database for the last two years to replace Regional WIMs database. Regional UIC programs need a robust and dynamic database capable of extracting the maximum value possible from data collected for use in decision-making and administering an effective regulatory program. The UIC One strives to accomplish this and more.

At the most basic level, the database will be able to (1) track the permit application process; (2) generate permits and inspection checklists and reports; (3) track required regulatory limits and

deadlines; (3) identify and flag potential violations; (4) track enforcement activities; (5) store documents electronically; (6) and automate program reporting (Phase II). This basic level of support will improve program performance and the quality and service to the regulated community and the public. The database will be available through remote access on a cloud platform.

These tools will provide for more robust data analysis; help track, manage, and prioritize workloads and targets as well as identify program stopgaps; and help the UIC program transition from paper to electronic data, documents, and records. Future planned database enhancements, particularly for a public facing segment, will provide more transparency and accountability.

### **ECAD Coordination**

Overview: A significant emphasis over the next year will be expanding the necessary communication and planning protocols to ensure that UIC program goals are achieved by both EPA and in authorized states. The scope of these activities will include the development and implementation of state program evaluations, the negotiation and monitoring of state grant commitments to ensure that states meet performance goals identified in national guidance with respect to permitting, compliance monitoring and enforcement. As SEE employees return to performing inspections, more discussion on how to handle low level violations which require an easy “fix”.

### **West Virginia Primacy**

Overview: Work with West Virginia to get their program codified in the C.F.R. When Primacy was granted, the Division of Water Resources (DWR) had permitting responsibilities for all Class II permits. Currently Class II permits are written and issued by the Office of Oil and Gas, in the WV Dept. of Environmental Protection (DEP). Documentation of formal acknowledgement by Region 3 of these transfers of authority is not available. West Virginia promulgated updated regulations in FY 22 and EPA Headquarters contractor finished the crosswalk in May of 2022. Next steps will be for EPA to review the crosswalk for significant deficiencies. Once deficiencies are addressed, WV will prepare full primacy application package for approval.

### **Comprehensive Review**

Overview: In conjunction with ECADs, we will be developing a state UIC program evaluation program. Based upon the work conducted by the National UIC Workgroup and best practices employed by other regions, the section will be developing metrics and protocols for the on-site

evaluation of delegated state programs. The scope of this effort will include review of: primacy status, permitting, financial assurance, compliance monitoring and enforcement response. We will be working with West Virginia to pilot the evaluation program.

### **Increase interest in UIC permitting**

#### **Class II wells**

There has been significant interest in both Pennsylvania and Virginia for Class II disposal wells. The cost of disposing of brine from oil and gas operations has increased the interest in Class II wells. The dual permitting process in Pennsylvania has been frustrating with operators and Pennsylvania recently queried EPA on the primacy process. In addition, the Seneca Nation has expressed interest in wells permitted in the Allegheny watershed. Expanding our relationship with the Seneca Nation during the permitting process will continue in future permitting actions. Finding additional ways to find inefficiencies in the permitting process to effectively meet our responsibility to consult while issuing quality permits in a timely manner will be a continued focus.

#### **Class III wells**

A possible lithium project may be proposed in Pennsylvania involving solution mining through injection wells. Little is known at this time, however if an application is received this could be a significant workload for the section.

#### **Class V wells**

The initial HRSD project was public noticed on June 7, 2022. EPA expects a second application will be received in the Fall of 2022. EPA took over 18 months on the first application and expects the initial issues/concerns have been addressed. Based on the feedback from the first draft permit public process, the lessons learned will be used for the second application.

The SEE employee has returned to the field to conduct Class V screening inspections, this workload was paused the last couple years due to Covid. This additional workload will require coordination with ECAD. In addition, two SEE employees retired during Covid and a priority will be to rehire two SEE employees.

#### **Class VI wells**

Due to expanded tax credits for CO2 sequestration, EPA Region 3 has fielded several calls from operators interested in Class VI wells. Currently, there are 3 projects which are high likely to submit applications in the next 12 months. These applications individually would be a huge lift in resources for the Region to review and issue. Nationally, EPA has created a network of individuals to help Regions review Class VI applications.